

SCOTTSDALE

CITY COUNCIL MEETING

AGENDA



COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Cynthia Lukas

Ned O'Hearn

David Ortega

Tom Silverman

Tuesday, March 4, 2003

MARKED AGENDA

5:00 P.M.

CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:05 P.M.**

Roll Call – **ALL PRESENT**

Public Comment – **JODI PAULSEN** – LISTED THE REASONS WHY CITIZENS ARE OPPOSING THE TREND PLAN ON THE FORMER SMITTY'S SITE; **KIM ABBS** – VOICED HER CONTINUED SUPPORT FOR THE **MCDOWELL MOUNTAIN RANCH LOCATION FOR THE ACQUATIC CENTER**; **TONY NELSEN** – REQUESTED THAT COUNCIL PROVIDE SAFE AND APPROPRIATE TRAIL CROSSINGS AND TRAFFIC CONTROL MEASURES

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

Minutes – **OK – 7/0**

SPECIAL MEETINGS

REGULAR MEETINGS

February 3, 2003

EXECUTIVE SESSIONS

- 1. Superpumper #12 Liquor License – OK - C**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 9 (liquor store) State liquor license.
Location: 15550 N Thompson Peak Py
Reference: 1-LL-2003
Staff Contact(s): Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619, Jfisher@ScottsdaleAZ.Gov
- 2. The Rocks Club Liquor License – OK - C**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 14 (private club) State liquor license.
Location: 27440 N Alma School Py
Reference: 2-LL-2003
Staff Contact(s): Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619, Jfisher@ScottsdaleAZ.Gov
- 3. Giligins Liquor License – OK - C**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 6 (bar) State liquor license.
Location: 4251 N Winfield Scott Pz
Reference: 3-LL-2003
Staff Contacts: Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619, Jfisher@ScottsdaleAZ.Gov
- 4. Alta Terra Distributing Liquor License - OK - C**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 4 (wholesaler) State liquor license.
Location: 7642 E Gray Rd
Reference: 4-LL-2003
Staff Contact(s): Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619, Jfisher@ScottsdaleAZ.Gov
- 5. Charmian Liquor License – OK - C**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license.
Location: 10411 E McDowell Mountain Ranch Rd
Reference: 5-LL-2003
Staff Contact(s): Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619, Jfisher@ScottsdaleAZ.Gov
- 6. Fusion Restaurant & Lounge Liquor License – OK - C**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license.
Location: 4441 N Buckboard Tr
Reference: 6-LL-2003
Staff Contact(s): Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619, Jfisher@ScottsdaleAZ.Gov

7. Pranksters Too Liquor License – OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) State liquor license at an existing restaurant location.

Location: 7919 E. Thomas Road, Suite 102

Reference: 7-LL-2003

Staff Contacts: Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619,
Jfisher@ScottsdaleAZ.Gov

8. Sunflower Café Liquor License – OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for an existing restaurant location.

Location: 7704 E. Double Tree Ranch Rd.

Reference: 9-LL-2003

Staff Contacts: Jeff Fisher, Plan and Permit Services Interim Director, 480-312-7619,
Jfisher@ScottsdaleAZ.Gov

9. Montacino-McDowell Mountain General Plan Amendment and Rezoning – OK - C

Request to approve:

1. A non-major General Plan amendment from Urban Neighborhoods to Suburban Neighborhoods on a 6.32+/- acre parcel located at 12325 E Shea Boulevard.
2. Adopt Resolution No. 6225 affirming the above general plan.
3. Rezone from Multi-Family Residential, Environmentally Sensitive Lands (R-5 ESL) to Single Family Residential, Environmentally Sensitive Lands (R1-5 ESL) with amended development standards and the termination of an existing development agreement on a 6.32+/- acre parcel located at 12325 E Shea Boulevard.
4. Adopt Ordinance No. 3487 affirming the above rezoning and amended development standards.
5. Adopt Resolution No. 6229 terminating the existing development agreement No. 980108.

Location: 12325 E Shea Bl

Reference: 23-ZN-2002 & 8-GP-2002

Staff Contact(s): Tim Curtis, Project Coordination Manager
480-312-4210, tcurtis@ScottsdaleAZ.gov

10. Bill Heard Chevrolet Conditional Use Permit – OK - C

Request: Approve a conditional use permit for new and used automobile sales on a 11+/- acre parcel located at 8705 E McDowell Road with both General Commercial (C-4) and Highway Commercial (C-3) zoning.

Location: 8705 E McDowell Rd

Reference: 30-UP-2002

Staff Contact(s): Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@ScottsdaleAZ.gov

11. Fitproz Health Studio Conditional Use Permit – OK - C

Request: Approve a conditional use permit for a health studio on a 3.16 +/- acre parcel located at 9151 E Bell Road #102 with Industrial Park, Planned Community district (I-1 PCD) zoning district. 27-UP-2002.

Related Policies, References:

- Case 19-ZN-00 approved rezoning the site from R1-35 to I-1 on October 17, 2000.
- Case 33-ZN-00 approved a PCD (Planned Community District) zoning overlay on the property on March 20, 2001.
- Case 21-DR-2001 approved a 3-building complex on the site, known as the Youth Family Arts Center, on May 3, 2001.
- Planning Commission recommends approval, 5-1.

Location: 9151 E Bell Rd Ste 102

Staff Contact(s): Keith Niederer, Associate Planner, 480-312-4211, kniederer@ScottsdaleAZ.gov; Randy Grant, Chief Planning Officer, 480-312-7995; E-mail: rgrant@ScottsdaleAZ.gov

12. Mirabel Village 12 Subdivision – OK - C

Request: Approve a 50 lot single-family subdivision on a parcel of approximately 57 acres.

Location: Cave Creek Rd & Mirabel Club Drive

Reference: 15-PP-2002

Staff Contact(s): Kira Wauwie, Project Coordination Manager, 480-312-7061, kwauwie@ScottsdaleAZ.gov

REGULAR AGENDA

13. WestWorld Master Plan Revision – OK – 7/0

Request:

1. The updated WestWorld Master Development Plan, consisting of an approximate 340-acre planning area.
2. Adoption of Ordinance No. 3494 affirming the above Plan.

Location: 16601 N Pima Rd

Reference: 20-ZN-1995#2

Staff Contacts: Kurt Jones, Interim Current Planning Director, 480-312-2524, kjones@ScottsdaleAZ.gov

14. Wireless Communications Ordinance Text Amendment

MOTION NOT TO REQUIRE INDEMNIFICATION AS PER THE PLANNING COMMISSION'S RECOMMENDATION – OK - 4/3 (N.O., W.E., T.S.)

MOTION TO ALLOW FLAG POLES TO BE USED AS WIRELESS FACILITIES THROUGH THE USE PERMIT PROCESS – OK - 7/0

MOTION TO REQUIRE A WRITTEN REPORT FROM PROVIDERS EVERY 3 YEARS STATING THAT THE FACILITY IS IN COMPLIANCE WITH FCC REGULATIONS AND HAS BEEN TESTED – OK - 7/0

MOTION TO REQUIRE A WRITTEN REPORT FROM THE PROVIDER CERTIFYING THAT THE EQUIPMENT THEY ARE INSTALLING AT A NEW LOCATION COMPLIES WITH FCC REGULATIONS INCLUDING THE CUMULATIVE EFFECT OF CO-LOCATION OF WCF ON ONE SITE – OK – 7/0

MOTION TO MAKE MAPS OF EXISTING ANTENNA LOCATIONS AVAILABLE TO THE PUBLIC – OK – 7/0

MOTION TO REQUIRE THE APPLICANT FOR A NEW WCF TO SEND A WRITTEN NOTICE TO ALL RESIDENTS, BUSINESS OWNERS, SCHOOLS, AND OTHER PUBLIC FACILITIES REQUESTING THAT

THEY NOTIFY TENANTS BY POSTING A NOTICE IN THE FACILITY AND NOTIFYING ALL STUDENTS IN THE FACILITY WHEN A WIRELESS ANTENNA FACILITY IS LOCATED WITHIN 750 FEET OF A PROPOSED WCF - OK – 4/3 (D.O., M.M., C.L.)
MOTION TO ADOPT RESOLUTION No. 6247 AND ORDINANCE 3493 SUBJECT TO THE ABOVE MENTIONED MOTIONS AFFIRMING THE TEXT AMENDMENT - OK – 7/0

Request:

1. Approve an update Ordinance No. 455 (Zoning Ordinance) pertaining to Wireless Communications Facilities.
2. Adopt Ordinance No. 3493 affirming the above text amendment.
3. Adopt Resolution No. 6247 declaring the above text amendment a public record.

Location: City-Wide

Reference: 3-TA-2000#2

Staff Contact(s): Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@ScottsdaleAZ.gov

Public Comment - NONE

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City Manager's Report - NONE

Mayor and Council Items - NONE

Adjournment – 9:59 P.M.

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.